



TFW 3618

Docket No.: WBW-13116

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By: Kerry Sisselman

Date: February 21, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Heinz Winkler	Confirmation No.:	8378
Appl. No. :	10/537,685		
PCT No. :	PCT/AT2003/000362		
Filed :	June 6, 2005		
Title :	Implant Containing Cultured Cartilage Cells, Method for Producing It and Application of such an Implant		
Art Unit :	3618		

REQUEST FOR FILING RECEIPT CORRECTION

Hon. Commissioner of Patents and Trademarks,
Washington, D.C. 20231

Sir:

Undersigned counsel has received the filing receipt for the above-identified application.

However, the filing date is incorrect and should be as follows:

June 6, 2005

Enclosed are copies of the postcard with the Patent Office stamp, express mail certificate, and express mail certification letter, all showing the filing of the present application on May 16, 2005.

The title is incorrect and should be as follows:

Implant containing cultured cartilage cells, method for producing it and application of such an implant

It is respectfully requested that the Patent Office Records be changed and that a new Filing Receipt be issued so that the printed patent will show the correct filing date and title.

Respectfully submitted,

Kerry P. Sisselman
REG NO. 37,237

Enclosed: Copy of the Filing Receipt
Copy of Express Mail Slip

Copy of the returned Serial No. Postcard
Copy of the Transmittal Letter

Lerner Greenberg Stemer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: 954.925.1100 Fax: 954.925.1101

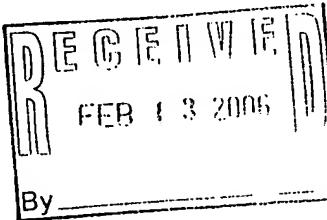


O I P E
FEB 27 2006
U S P T O
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/537,685	10/06/2005	1615	665	WBW-13116	1	26	2

24131
LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD, FL 33022-2480



CONFIRMATION NO. 8378
FILING RECEIPT

 OC000000017978761

Date Mailed: 02/08/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Heinz Winkler, Krems, AUSTRIA;

Power of Attorney: The patent practitioners associated with Customer Number 24131.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/AT03/00362 12/05/2003

Foreign Applications

AUSTRIA 1825/2002 12/05/2002

If Required, Foreign Filing License Granted: 02/02/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/537,685**

Projected Publication Date: 05/11/2006

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Implant containing cultured cartilage cells and method for producing this implant

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

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Practitioner's Docket No.: WBW-13116

CHAPTER II

"Express Mail" mailing label number EV577605320US
Date of Deposit June 6, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

michael Burns

MICHAEL BURNS

TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE
PCT/AT2003/000362	5 December 2003	5 December 2002

TITLE OF INVENTION

IMPLANT CONTAINING CULTURED CARTILAGE CELLS, METHOD FOR PRODUCING IT
AND APPLICATION OF SUCH AN IMPLANT

APPLICANT

WINKLER, Heinz

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: EO/US

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:
 - a. This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
 - b. The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:



EV 577605320 US

ORIGIN (POSTAL SERVICE USE ONLY)		
PO ZIP Code <i>33311</i>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del Day	Postage \$
Date Accepted <i>6/15</i>	Scheduled Date of Delivery Month <i>6</i> Day <i>7</i>	Return Receipt Fee \$
Mo. Day Year <i>Mo. Day Year</i>	Scheduled Time of Delivery Time Accepted <input type="checkbox"/> AM <i>5:10 AM</i> <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Flat Rate <input type="checkbox"/> or Weight <i>3 lbs.</i>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$ <i>2105</i> Total Postage & Fees \$ <i>2105</i>
Int'l Alpha. Country Code <i>US</i>	Acceptance Emp. Initials <i>JL</i>	

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.



UNITED STATES POSTAL SERVICE

Customer Copy
Label 11-F, April 2004

Post Office To Addressee

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Delivery Attempt	Time <i>10:00 AM</i>	Employee Signature <i>RECEIVED 2/27/06 10:00 AM</i>
Mo. Day	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time <i>10:00 AM</i>	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Delivery Date	Time <i>10:00 AM</i>	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic) I waive additional merchandise insurance is valid if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judged that article can be left in secure location) and I authorize that delivery thereof my signature constitutes valid proof of delivery.		
NO DELIVERY	<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Customer Signature

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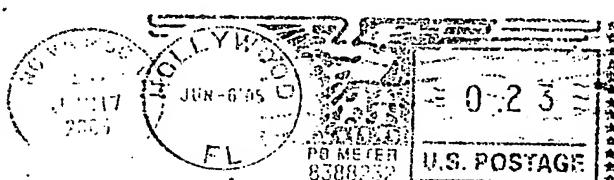
The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

10/537685

- PCT 1 dwgs. Mail. Cert.
 Cover Sheet WO 2004/050135A1 Search Report
 Prel. Int. Exam. Report Fee Calc. Sheet
 Orig. PCT Applc 11 pgs. PCT Transmittal Letter
 Transl. 11 pgs. Declaration signed / unsigned
 Prel. Amendment 7 pgs Check \$ 650.00
Applc Data Sheet

JC03 Rec'd PCT/PTO 06 JUN 2005

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